



3748/22W

November 19, 2007

To the USPTO
Mr. Ching Chang
Art Unit 3748
Application No. 10/538,907

Reply to the letter (mailed on October 19, 2007) of the primary examiner **Mr. Ching Chang**, Art Unit 3748, regarding the Application No. **10/538,907** titled "VARIABLE VALVE GEAR".

With reference to your **DETAILED ACTION**

Specification

1. Please correct / replace "contact surface (3)" on page 3, line 1, by "contact surface (8).

Drawings

2. A "Replacement Sheet" with the Fig 25 designated by the legend "Prior Art" is attached, according examiner's instructions.

Claims Rejection

7. **Claims 1-7 and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by, or, in the alternative, under 35 U.S.C. 103(a) as being obvious over Bidlingmaier et al (US Patent 6,145,485) .**

At the last line of page 3 of your letter it is written: "and the roller, supported on the control shaft, displaces ...".

The roller 7 is supported on the connecting rods (36), which are supported / connected / rotatably mounted to the control shaft (39).

The connecting rods (36) connect the roller 7 with the control shaft (39) and change radically, according the following explanations, the functionality of the mechanism.

Similarly, at line 6 of page 4: "the roller is a free roller trapped among the control cam, the control shaft and the valve actuator".

The roller is not a free roller (for example in the sense of the "free piston" of a free piston engine). The roller is held/pinned (i.e. it is not free) via/at the intermediate members (36).

Similarly, at line 7 of page 4: "the roller is in direct contact to the control cam, and to control shaft and to the valve actuator".

The roller is not in direct contact to the control shaft. The control shaft holds, via the intermediate members (36) the roller, and the roller never comes in direct contact to the control shaft (39).